UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

LISA D. SKREKLA	:	Case No. 16-10701TPA
Debtor	:	Chapter 13
LISA D. SKREKLA	:	
Movant	:	
v.	:	Related to Document No. 20
	:	
LOANDEPOT.COM, LLC	:	
Respondent	:	Hearing: November 8, 2016 at 11:30 P.M.

ORDER TO SHOW CAUSE

On October 11, 2016, a status conference was held on compliance with the pending

Loss Mitigation Order dated August 24, 2016. Atty. Michael JanJanin appeared at the hearing

representing LoanDepot.com, LLC as local counsel. However, as directed in the September 13, 2016

Order scheduling the status conference (and required by the Court's *Local Rules*), Atty. JanJanin did

not "have full and complete knowledge of the file and status of the case so that Counsel is capable

of answering any/all of the Court's questions regarding the status of the pending LMP application."

By way of further background, on August 24, 2016, a *Loss Mitigation Order* was

entered by this Court, at Document No. 20, as a result of the *Motion for Loss Mitigation* at

Document No. 19. As required by the *Loss Mitigation Order*, the Parties were "directed to

participate in the Court's *Loss Mitigation Program (LMP)* as set forth in *W.PA.LBR 9020-1* through

9020-7." *See W.PA.LBR 9020-1 et seq.* Based on the representations of Atty. JanJanin (who was

retained less than 20 hours prior to the October 11th hearing), LoanDepot.com, LLC completely

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failed to comply with its required responsibilities and obligations in the Court's loss mitigation program. It appears, at least facially, as if LoanDepot.com, LLC is not acting in good faith as required by the *Local Rules* and therefore it apparently is in further violation of the Court's *Local Rules*.

AND NOW, this *17th* day of *October, 2016*, for the foregoing reasons, it is hereby **ORDERED,** *ADJUDGED and DECREED* that:

(1)   An **Order to Show Cause** is issued against **Joshua I. Goldman, Esq.** and **LoanDepot.com, LLC.**
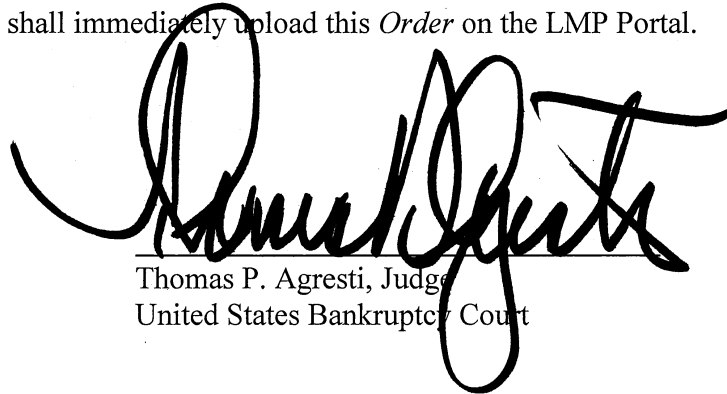
(2)   *Atty. Joshua I. Goldman* and the *"Loss Mitigation" representative of* **LoanDepot.com.LLC**, with full knowledge of and complete authority to bind LoanDepot.com, LLC on the matters set forth in or related to the *Loss Mitigation Order* (or other appropriate person with similar knowledge and binding authority), shall *personally* appear at a hearing scheduled on *November 8, 2016 at 11:30 A.M.* in the Erie Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501, and show cause as to why sanctions should not be imposed on the Respondent and its Counsel pursuant to this Court's inherent authority arising from *11 U.S.C. §105(a)* and *W.PA.LBR 9020-3(e)*. The sanctions that may be imposed include:

(a)   attorney fees for time spent by Counsel for the Debtor(s) in bringing this matter to the attention of the Court;

(b)   escrowing all mortgage and escrow payments accruing on a going forward basis until the Respondent complies with the *General Order*; and,

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(c)   other possible sanctions, monetary or otherwise, for the Respondent's failure to timely comply with this Court's *Loss Mitigation Order* and/or its *Local Rules*.

(3)   The *Loss Mitigation Program* is **extended through November 8, 2016,** as to the Debtor's application.

(4)   The Debtor shall immediately upload this *Order* on the LMP Portal.

Thomas P. Agresti, Judge
United States Bankruptcy Court

Case Administrator to serve:
    Debtor
    Stephen H. Hutzelman, Esq.
    Michael JanJanin, Esq.

    Joshua I. Goldman, Esq.
    KML Law Group, P.C.
    701 Market Street, Ste. 5000
    Philadelphia, PA 19106

    LoanDepot.com LLC

    Attn: Legal Counsel
    425 Phillips Blvd.
    Ewing, NJ 08618

United States Bankruptcy Court
Western District of Pennsylvania

In re: Case No. 16-10701-TPA
Lisa D. Skrekla   Chapter 13
        Debtor

CERTIFICATE OF NOTICE

District/off: 0315-1   User: bsil   Page 1 of 1   Date Rcvd: Oct 17, 2016
                           Form ID: pdf900   Total Noticed: 2

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Oct 19, 2016.
db   +Lisa D. Skrekla,   3908 Zimmerman Road,   Erie, PA 16510-3661
              +LoanDepot.com LLC,   Attn: Legal Counsel,   425 Phillips Blvd.,   Ewing, NJ 08618-1430

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.   TOTAL: 0

        ***** BYPASSED RECIPIENTS *****
NONE.   TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 19, 2016   Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on October 17, 2016 at the address(es) listed below:
        Joshua I. Goldman   on behalf of Creditor   LOANDEPOT.COM, LLC bkgroup@kmllawgroup.com
        Office of the United States Trustee   ustpregion03.pi.ecf@usdoj.gov
        Ronda J. Winnecour   cmecf@chapter13trusteewdpa.com
        Stephen H. Hutzelman   on behalf of Plaintiff Lisa D. Skrekla shutzelman@shapiralaw.com,
         shutzelman@ecf.inforuptcy.com;ann@shapiralaw.com
        Stephen H. Hutzelman   on behalf of Debtor Lisa D. Skrekla shutzelman@shapiralaw.com,
         shutzelman@ecf.inforuptcy.com;ann@shapiralaw.com
                                                                       TOTAL: 5